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national farmers union

In Union Is Strength



National Farmers Union

Presentation

to the

**House of Commons
Standing Committee on Agriculture**

on the subject of

Sustainable Agriculture

a, Ontario

November 28, 1991

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INTRODUCTION:

The National Farmers Union is comprised of farm families directly involved in the production of food. We, therefore, have a deep personal interest in the subject of these hearings.

Our organization has since its inception held a strong interest in land use issues and over time has devoted considerable discussion to the subject. Our Land Policy appears in this presentation as Appendix A. The opening paragraph of our Land Use and Tenure policy sums up our general philosophy and approach in the quotation:

"The members of the generation which is in power must not treat the earth as something given by their parents, but rather as something borrowed from their children."

DEFINITION:

The terms of reference for this Committee's study includes the need to define "sustainable agriculture". The Federal-Provincial Committee on Environmental Sustainability has offered a definition which states:

"Sustainable agri-food systems are those that are economically viable, and meet society's needs for safe, nutritious food, while conserving or enhancing Canada's natural resources and the quality of the environment for future generations."

Close scrutiny of this definition indicates the "agri-food system" in Canada is not measuring up to these ideals. "Society's (consumers') needs for safe, nutritious food" is certainly being met, and cheaply too, we submit, but it is being achieved at tremendous cost to farmers and, by extension, to the nation as is evidenced by the problems described.

This Committee's study outline under the heading of "The Role of Farm Practices" correctly observes that "current agricultural practices are resulting in wind and water erosion, salinization, declining organic matter levels, soil acidification, deterioration of soil fertility and productivity and degradation of water quality." It then adds: "Farmers are entrusted with caring for soil and water resources during their farming careers. If these resources are to be preserved for future generations, farmers need information on management techniques and skills which allow economic benefit and environmental sensitivity to co-exist side by side."

The very strong inference is that farmers are the problem - if they were less ignorant and more skilled, present-day problems wouldn't exist.

Unfortunately, this may in part be true, but many of us know our farms very well. Many of us have a strong kinship to nature and the land. In many cases, we know how to do a better job of farming - but we do not have the opportunity to put our skills and knowledge into full practice. To practice proper stewardship often requires greater financial re-investment than the products we produce can return through the marketplace. We are sometimes forced into making shortcuts. We may apply the latest high-cost technology in the form of chemicals and fertilizers in order to boost production and yield only to find that the bottom line economics are less than satisfactory or that negative changes are occurring to soil quality and productivity. Chemical use weed and insect control is post-World War II. We submit long-range effects are not totally understood.

Often we are forced to seek off-farm employment in order to subsidize our farming operations. Ironically, income from off-farm work is now estimated to exceed 60 per cent of total family farm income. Off-farm work, as a source of income,

has been promoted by federal and provincial departments of agriculture as a desirable form of "diversification". When we are away from our farms, something is bound to suffer. We are less diversified production-wise than we might otherwise be.

In short, any true definition of "sustainable agriculture" must include the economic needs of the human resources engaged in the physical production of food. If this cannot be done, the industry will fail.

As stewards of our agricultural land resources, we have not and are not receiving adequate recognition and support to fulfil our mandate to conserve and enhance this great natural resource and national asset. Commercialization has been the priority. Degradation has been the price.

THE PRESSURES OF COMPETITION:

Conventional wisdom in Canadian agriculture has always stressed the growing adaptation of technology and economies of scale. Canadian farmers are among the most highly mechanized in the world. We have nonetheless witnessed in the 1970s and throughout the 1980s skyrocketing farm debt and the subsequent failure of thousands of farm families to sustain themselves under the pressure of high interest rates, rising input costs and unstable farm product prices. Foreign trade wars and shrinking international commercial markets have aggravated the situation.

The combination of these negative economic circumstances has caused an increasing scepticism among farmers caught in the competitive "rat race" and triggered a desire to reassess farming practices. Some factors whereby we may question established reliance on chemical dependence and cultivation methods has also been prompted by personal health considerations and environmental concerns.

The number of farmers attempting a transition toward the adaptation of more environmentally friendly and sustainable methods of food production are still relatively few but growing. In today's society, they are the true innovators developing the knowledge base for future alternative farming methods and organic forms of food

production. They have received little recognition or support from established government or university institutions. At times they are scorned and ridiculed. There are, nonetheless, signs that attitudes may be changing as the study by this Committee testifies.

Aggregate data comparing the relative net economic returns as between conventional and alternative systems of farming do not exist in any substantive form. Farmers engaged in alternative farming methods or who are in transition from one form of production to another may have personal data for their operations. Such information needs to be assembled.

Organic producers have been left to their own initiative to seek out specialized markets for their products. Organically-grown products seek national and international certification standards that have acceptance here and elsewhere and that can apply equally to imports, the domestic market and the export trade. Efforts in this direction are currently being made through the Canadian Organic Unity Project but it requires legislative support. Once such standards are in place, marketing agencies such as the Canadian Wheat Board would be able to provide an international sales program.

Public policy initiatives play a key role in our ability to compete. The Canada-U.S. Trade Agreement is causing serious impact upon several sectors of our agricultural industry. It is seriously challenging the ability of family farms to remain competitive in coming years. The erosion of the supply-managed production of milk, poultry and eggs is already evident, regardless of the eventual fate of Article XI of the GATT.

The implication of failure for these marketing agencies suggests a possible reduction of our self-sufficiency for these products in future. A growing concentration of food production through vertically integrated and/or contract control by large corporations is in prospect.

The pressure for lower farm product prices originating from within Canada is in reaction to the eventual open-border situation that will occur as trading restrictions under the CUSTA are removed. A much less than "level playing field" is in prospect since neither corporations or consumers are particularly swayed by arguments that our production costs may be higher because of climatic reasons, higher input costs, housing or distance to market.

The fruit-growing industry of the Niagara escarpment and the Okanagan Valley is already in serious decline. Although these areas have among the best soil in Canada, they are being squandered to speculation, pavement and urbanization. This is, for the long-term interests of this nation, an irresponsible situation but it reflects the mind-set of those in power who subscribe to "laissez-faire" economics, cheap food, corporate concentration, deregulation and unrestricted globalization of trade. Such an economic environment is hostile to the entire concept of sustainability.

THE NEED FOR A CHANGE IN DIRECTION:

We believe this committee is genuinely concerned about the sustainability and future of agriculture in Canada. However, in our view, a complete reassessment and change of present policy direction will be needed if food production is to have a future for most farm families beyond the year 2000.

As farmers, we wish to earn our livelihoods from farming. We believe our ability to produce food should be considered as a national asset - not a liability. It is a way of life. Every great nation in the world values food self-sufficiency to the extent required to feed its population.

The current emphasis of national policy is in the opposite direction for our supply-managed products. For commodities surplus to our needs such as bread wheat and canola, we are now permitting imports - the primary criteria apparently being corporate profitability.

In November, 1989, Agriculture Canada launched its Growing Together initiative and projected a new vision for agriculture based on four pillars. These in summary were:

- More market responsiveness;
- Greater self-reliance in the agri-food sector;
- A national policy which recognizes regional diversity;
- Increased environmental sustainability.

We submit the first three pillars are generally incompatible to achieving environmental sustainability. Free-market economics have no regard for sustainability but are directed toward forcing lower prices in a competitive marketplace and maximizing corporate profits through buying raw resources as cheaply as possible wherever it can be obtained.

Offering farmers greater freedom to manage their own operations in response to market signals is to overstate the options a farmer may have in his production capability. It costs money to switch. Market signals are sometimes misleading.

Producing hogs for export to the U.S., for example, is turning out to be a trying experience for many farmers and is throwing into question the entire future of the tripartite safety net program. Without it, many producers may not survive but it may well trigger an opportunity for vertically-integrated corporate domination of hog production and other products based on U.S. models.

For grain, there is no true market signal while the European Community and the U.S. continue to battle for market share at our expense. While the federal government has recognized its responsibility for compensating farmers for lost income as a result of the trade war, it has, for 1990 offered \$800 million which falls short of the previous five-year net income average by at least \$500 million. This deficit needs to be met. Our grain and oilseed safety net program, GRIP, is now in its first year of operation, but indications already point to serious design flaws. Sustainability is not being encouraged under the current farm income regime. Many farmers believe

they must produce as much as possible just to stay in business. In many instances, this means mining the soil.

Through regional diversity initiatives, it is proposed that flexibility be increased within commodity and marketing systems to allow regional strengths to be more fully developed. We interpret this as a possible reference for the need to remove interprovincial barriers to trade and restructure the quota system as supply-managed products. It leaves unanswered what options will remain for the losers - other than transition assistance. While interprovincial trade barriers have some serious shortcomings, their wholesale removal in supply-managed farm products, for instance, would cause serious disruption within the industry.

In spite of the obvious odds mitigating against the practice of sustainable farming practices, there are many farmers who, on their own, are doing their best. We believe Agriculture Canada needs to make a better effort to improve two-way communication with the farm community. Department experts, we are certain, could learn a great deal.

Conversely, we acknowledge that the PFRA has for many years made a very important contribution in sustainability to prairie agriculture and is highly regarded by farmers.

Within the past three years, the permanent cover program initiated for light or unproductive soils has also proven to be popular - but we have a long way to go to bring this program to full potential.

Department research for pesticide control is, we believe, devoting some resources for research on biological control mechanisms of weeds and insect pests. On the other hand, little is any longer heard of the Pesticide Review Committee report of 1990 and what actions, if any, are to be taken on its recommendations.

We are very much aware that government funding dedicated to agricultural research initiatives is not keeping pace with demand and that increasingly

research costs are being off-loaded onto farmers. National check-offs can now be approved for specific commodities under the National Farm Products Act. A number of commodity organizations at various provincial levels have already sought and been granted check-off privileges on farmers' sales of specific commodities. Such funds are to be dedicated to "research and market promotion". It is in reality a tax on farmers. We further question the "sugar-bowl" approach to research of establishing numerous commissions and committees to determine priorities and administer such funds. In our view, a co-ordinated and nationally-funded approach to research programs is needed.

Currently the Canadian Wheat Board is circulating a proposal for discussion on the matter of implementing a research check-off on wheat and barley delivered to the Board. This appears to be straying from the Board's marketing mandate.

Agriculture Canada's decline in plant product testing was raised earlier this year by MAPAQ (the Quebec Ministry of Fisheries and Food) to the Canadian Agricultural Services Co-ordinating Committee. It noted that:

"During the last 4 years, the number of tests conducted by Agriculture Canada has gone from 24587 to 14689. Meanwhile, the number of tests required by MAPAQ and the industry, has remained almost constant so that Agriculture Canada's withdrawal has weakened the system. The need for tests is particularly acute in horticulture and it is obvious that the industry's financial contribution rests on the demonstration on our part that their involvement will help strengthen the system and will not be used to counterbalance government withdrawal from programs."

This decline in government involvement may be consistent with the policy initiative it took in the passage of Bill C-107, the Plant Breeders' Rights Act, which is designed to transfer intellectual property rights and greater control over the production and dispensation of seed stocks into the hands of transnational corporations.

Agriculture Canada has recently proposed an amendment to Section 33 of the Seeds Act regulations which would ban the sale of common seed and require

the sale of all seeds to be pedigreed. In our view, such a change would clearly benefit large seed corporations, increase seed costs to farmers and place the economic viability of smaller seed companies into serious jeopardy. The implications of such an amendment to the Seeds Act regulations should be seriously examined by this Committee, and we submit, be withdrawn.

Sustainability, we submit, is not encouraged when disaster payments on crops are unduly delayed. Such is the case for the Maritime potato producers, who in 1990, were required in many cases to destroy their crops because of the PVYn virus. Many have still not received compensation and essentially have had no income for more than a year. Several hardships have been created.

CONCLUSION:

In summary, we strongly agree that every effort must be made to create a more environmentally friendly and sustainable farm industry. While the comments we have presented on the subject are by no means definitive, we have attempted to illustrate that attaining the objective of "sustainability" requires broad-ranging policy initiatives. Unfortunately, we believe many current policy directions of the government are counter-productive.

We have made the following points:

1. There are many economic constraints preventing farmers from practising proper stewardship over their land resources. Farmers alone cannot be held responsible for all the shortcomings in agriculture.

2. Any definition of sustainable agriculture must include the undertaking that the economic needs of the human resources engaged in food production will be met.

3. The wholesale adaptation by farmers of the latest technological innovations in food production have not spared the industry from a serious and

worsening farm financial crisis. Margins on returns are too narrow. Such a situation does not encourage sustainable agriculture.

4. Low farm product returns are in an increasing number of cases prompting farmers to seek alternative methods of farming. This may reduce input costs and improve the sustainability of their farms, their personal health and the environment. Their efforts have, to date, received little recognition among the agricultural establishment - governments, universities or corporations.

5. Organically-produced foods require the legislated establishment of national and international certification standards.

6. The CUSTA is eroding our supply-managed programs and will cause irreparable damage to many farm families engaged in the production of these products. Our self-sufficiency of production in these products is being threatened as is the cost-of-production formulas under which they operate. Similarly, our farm safety net programs are being threatened by this Agreement. We recommend this Agreement be abrogated.

7. We are concerned by the rapid loss occurring to urban development of our most productive soil types. It will be irretrievable. A national initiative is needed to preserve these rare farmlands for future generations.

8. We regard the four pillars in the federal government's Growing Together policy initiative counter-productive to the concept of sustainable agriculture.

9. Full compensation should be paid to farmers suffering net income loss in 1990 as a result of low international grain and commodity prices and the required destruction of potato crops because of the PVYn virus.

10. Agriculture Canada should greatly improve its two-way communication with farmers.

11. We acknowledge beneficial programs of Agriculture Canada such as PFRA and the permanent cover program but are concerned by its withdrawal of research funding and subsequent policy to off-load research costs onto farmers through check-off taxes directed to commodity organizations.

12. We are concerned by efforts to amend Section 33 of the Seed Act Regulations to restrict commercial seed sales to pedigreed grades.

In conclusion, as farmers we do not seek government charity. Our only interest is to earn an honest livelihood from what we believe to be an honourable profession. We are concerned when we experience the breakdown of institutions and programs that have been specifically designed to encourage the development of an agricultural industry compatible with problems unique to our nation. We do not want our industry to be marginalized in order to accommodate the private agendas of international corporations.

All of Which is Respectfully
Submitted by:

NATIONAL FARMERS UNION

LAND POLICY:

FOREIGN AND CORPORATE CONTROL OF FARMLAND:

1. The NFU views with alarm the escalation of foreign ownership of our most precious resource, land, both agricultural and non-agricultural. Some provinces have enacted legislation to restrict the further purchase of Canadian land by aliens, and in some instances, non-residents of the province.
2. The NFU feels there is little difference between an investor from West Germany and an investor from Toronto owning farmland merely as an investment. In both cases, this investment of capital excludes local farmers from acquiring the land and the effect on rural disintegration is precisely the same.
3. We believe provincial governments should enact legislation restricting agricultural land ownership to actual farmers to ensure that agricultural resources remain in the control of agricultural producers.
4. We believe that those people who work the land should have control over the management of their food production unit. We view with alarm the encroachment of industrial corporations into the business of primary food production through direct ownership, vertical integration and contract farming.
5. There is less land suitable for agriculture in Canada than is generally realized. Although Canada has the second largest land area of any nation, only 12 percent of that area is suitable for some kind of agricultural production. However, considerably less than half of this is capable of sustained production of common field crops. As well, a substantial percentage of good agricultural land is currently under forest.
6. More than half of Canada's best agricultural land and one-third of our second-best land is within a 50-mile radius of the country's largest cities. Because it lies within direct commuting distance of the major population centres, there is a great deal of pressure to use this land for rural residences, hobby farms, recreational resorts and speculative holdings.
7. Agricultural land in Canada has been lost as a result of mismanagement in two areas. Urban and industrial sprawl encroaches yearly upon highly productive farm land. The NFU believes that in most cases the development of this land for non-agricultural purposes was unnecessary. With proper study and consideration of the soil types and best use of land around urban centres, the same development could have occurred in the same general vicinity but without destroying agricultural land.
8. Another area of concern is improper cultivation of farm land whether we lose agriculture land to concrete and steel or lose it through poor conservation practices, the end result is the same. Land must be treated with respect so it can be sustained as a life-giving source.
9. Land will not be preserved as prime agricultural land as long as poor husbandry practices are encouraged. It has become necessary for the farmer to increase yields in the short-term in order to cover increasing production costs and to minimize the effects of the cost-price squeeze on the operation. If the land is over-capitalized and then forced to provide a return to the investor on this capital, it very predictably suffers.
10. The NFU views land as a natural resource and not a commodity to be exploited. We stress that the subject of land abuse is an acute national problem and must be dealt with in depth in the immediate future by developing a national soil conservation program. The NFU must continue to pressure governments to provide incentives for farmers to practise good soil conservation.
11. We urge the federal government to establish a Royal Commission into the whole question of land use in Canada. This commission should consider the loss of prime agricultural land to various uses; the effect of foreign and non-resident ownership and corporate ownership of farm and development land; the economic consequences for consumers in terms of food production - domestic versus imported, and alternatives for land tenure.

12. In keeping with the spirit of a public Royal Commission, we ask the federal and provincial governments to have the various ways and means of tenure of occupancy under continual public debate, to consistently explore all possible avenues of tenure, so that the subject will receive continued public scrutiny and the public in turn will not lose touch with an important heritage - the land, and lose control to powers from within or outside this country.
13. We recommend a National Land Use and Tenure Policy and that the provinces should transfer such powers as necessary to the federal government to achieve this goal.
14. To prevent soil degradation and erosion, the NFU will work to have legislation passed requiring lending institutions to establish forage crops with an emphasis on a grass legume mixture on any land under their control and these forage crops not be harvested.
15. We recommend that provincial and federal governments provide funding for personal and material resources to assist farm families committed toward a transition to sustainable agriculture.

FARM SIZE:

1. With the development of new technology and larger machines, there appears to be an accelerating trend to concentration of ownership of farm land into ever larger production units. This trend is leading to the breakdown of rural communities and consequent erosion of the quality of life in rural Canada.
2. As a concentration of ownership of farm land occurs, we develop an elite class of land-owning citizens and the privilege of being a landowner is denied to a growing proportion of the population. As population increases, land is fast becoming a scare commodity.
3. When land is transferred in the marketplace, competition for that land drives prices up. In times when prices for farm commodities rise, buyers of farm land tend to capitalize gains made in the price of farm products into the value of the land. This has the effect of automatically increasing the cost of production. As land

values rise, it becomes more difficult for new and young farmers to enter the profession.

4. We recommend that each province should take an inventory of the ownership and control of farm land within its boundaries, and maintain a running inventory by requiring all changes in land tenure to be reported as they occur.
5. Where concentration of ownership appears to be undesirable, legislation should be introduced to limit farm size to a given number of acres, based on potential productivity of the soil, that may be owned or controlled by any individual farmer, farm corporation or cooperative farm.

FARM CHEMICALS:

1. The NFU has serious misgivings regarding the direction of modern agriculture and the increasing reliance upon chemical fertilizers and pest controls. There are many indications that good cultural practises are being neglected with the result that there has been a discernable increase in soil erosion across the country, even in the choicest agricultural regions.
2. It is necessary for the maintenance of high quality food production in Canada that better cultural practises be understood and applied consistently on Canadian farms to prevent erosion in both the short and long-term. The NFU is concerned about the effects of leaching, salination and pesticide residues on the soils and the impact on farm land of changing water tables, and the effect of multiple use of chemicals.
3. Good cultural practises were used in the past because these were the only ways known to maintain soil fertility and production. Today, we have an array of technological devices at our disposal that artificially increase the yield but are not conducive to long-term soil conservation.
4. The NFU feels that the preservation of land is of utmost importance and must be dealt with by the federal and provincial governments. To this end, we call for adequate restrictions on the licensing and use of agricultural chemicals, and that all agricultural chemicals be proven to be non-harmful to human beings and the

environment, keeping in mind and in tune with the long-term productivity of the soil and the safety and purity of the water supply. Since more than 100 agricultural chemicals used in Canada do not have reliable research to guarantee their safe use, we ask provincial and federal governments to:

- a) Phase out the use of all agricultural chemicals that do not have reliable research to guarantee their safe use;
- b) Lobby federal and provincial governments as well as private research groups to increase the level of funding and effort given to finding ways to reduce the level of chemical dependency in food production and processing;
- c) Ban the advertising and promotion of all agricultural chemicals in all government and crown corporation publications and brochures;
- d) Introduce legislation to ban advertising of agricultural chemicals;
- e) Establish a task force with specialists from members of medical associations and other health care practitioners, the Department of Agriculture, Colleges of Agriculture and representatives from farm organizations and organic farmers to encourage and advise farmers on the best methods of engaging in non-chemical agriculture;
- f) The NFU Environmental Clean-Up Committee make available to NFU members of the best information available on the danger of agricultural chemicals. The list of chemicals to include the chemical name, the common names, the uses for the chemicals and the warning they may be dangerous to human health and the environment.
- g) The NFU to carry out an education program to expose the myths perpetuated by the Canadian Agricultural Chemicals Association and the Agricultural Institute of Canada;

- h) Provincial and federal governments establish regulations requiring returnable containers.

5. The NFU wants the federal and provincial governments to provide necessary funding to agricultural research institutions including ecological agricultural centres to carry out studies and programs to assist in maintaining high levels of production and conservation practises to reduce erosion of soil by wind and water, looking toward biological control rather than increasing use of toxic chemicals and over-use of fertilizers.
6. Because corporate tests of farm chemicals are known to be inadequate and at times inaccurate with respect to their efforts on human health, the NFU should, through the efforts of its members, research the number of injuries and deaths that occur to farmers and their families who are using or are affected by chemicals; and the responsible levels of government should be requested to publish an annual report giving full details of all accidents, which would be made available to all farm groups for study.

An appropriate study of the impact of agricultural chemical use upon individual families and the environment compared to farm families who use no chemicals in farming, should be undertaken.

7. Because toxic agricultural chemical registration procedures are inadequate, the federal government should deny registration of agricultural chemicals until:
 - a) The chemical's mode of action is fully understood;
 - b) The breakdown products and half-life of the chemical are known;
 - c) The chemical is demonstrated to work significantly better than chemicals already registered;
 - d) Studies on sub-lethal effects of the chemical on representative plant and animal life over at least ten generations are completed.
8. The federal government should place a temporary ban on all agricultural

chemicals until research has been reviewed and they are proven to be safe when exposed to soil, groundwater, people or food, livestock, poultry and wildlife, non-targeted organisms, and any chemicals not proven safe be immediately banned.

9. Until pesticide advertising is banned, it should contain the full label material of the product including the appropriate antidote, its toxicity to humans, crops and wildlife, its persistence in the soil and groundwater, whether or not it can be mixed with other chemicals, the parent company manufacturing the product and the chemical name of the product and the cost per acre.

10. The federal government should enact regulations to ensure that:

- a) Chemicals be dated as to year of manufacture;
- b) A warranty be provided to cover costs of non-performing chemicals;
- c) Price reductions be implemented after patent expiry;
- d) More manufacturers' field representatives be available to monitor field applications;
- e) That pamphlets be made available by chemical manufacturers to illustrate metric, imperial and U.S.A. measurements for chemical application to crops or proper dosages for the treatment of livestock.

11. The federal government should immediately appoint a Commission of Inquiry to investigate the cost and pricing of farm chemicals and make recommendations to Parliament toward pricing, length of patents and associated legislation.

ENVIRONMENTAL CONCERNS:

1. The increasing use of salt and other chemical substances for ice control on highways, bridges, etc., by municipalities, towns and cities is polluting adjoining farms, waterways and public lands. We urge its excessive use be avoided.

2. We urge all levels of government apply pressure on industry to dispose of or recycle hazardous waste including containers on location of production. Substances which cannot be disposed of should be banned. Legislation should be implemented to impose strict regulations on industry and society to discourage pollution of the environment.

3. We call upon the provincial and federal governments to develop and enforce comprehensive emission standards for the control of acid rain. The federal government should also initiate discussions with other countries to develop standards on a world-wide basis.

4. Basic principles of an environmental policy should include:

- a) Eco-agriculture studies in school curriculums including the benefits of non-chemical farming;
- b) Research into improved methods of environmental farming and justification for pesticide use. In this regard the federal government must adequately fund Toxicity Research Centres and jointly fund with the provinces, ecological sustainable agriculture departments in universities across Canada;
- c) Incentives must be provided to preserve our land resource through proper cultural practices so they may benefit future generations;
- d) Registration and certification of food standards is required.

5. Action must be taken to reduce waste generation and the demand this places on farm land for conversion to landfill sites. The NFU:

- a) Demands that both industry and the general public be required to establish effective waste reduction practices such as recycling;
- b) Encourage farmers whose lands are about to be converted to landfill sites to not relinquish their lands until effective waste reduction practices are in place;

- c) Approach the Canadian Environmental Law Association and other legal support agencies for legal assistance in this regard;
- d) That landfilling be used as a last resort in waste management.

URBAN AND INDUSTRIAL DEVELOPMENT:

- 1. We seriously question the advisability or necessity for land developers to own land for the purposes of urban, industrial or recreational development. We believe that such development should be publicly planned and that the public should acquire land for future use for such purposes.
- 2. The role of private developers would then be to contract to make the necessary improvements to such land. Experience has demonstrated that allowing private developers to acquire and own land leads to speculation in land for the purpose of capital gains, irrational land use and poorly planned communities.
- 3. Industrial development centered around large urban communities, coupled with urban sprawl, has already gobbled up much of the best agricultural land in Canada, as in other countries. The growth centres in Canada are projected to be in the St. Lawrence Valley, the golden horseshoe in Ontario and the Fraser Valley in British Columbia. If this trend is not controlled, millions more acres of the most productive farm land in this country will be covered with concrete and lost as a food resource base for future generations. The same trend is occurring around almost every urban centre as we see farm land being gobbled up by urban developers and ribbon or strip housing development occurring along the major thoroughfares.
- 4. There is need for a more rational policy for the construction of new highways, power lines and other public utilities, which cut large swaths out of farm land.
- 5. Public and private utilities such as highways, power lines, pipelines, railways, telephone lines, etc., are utilizing increasing quantities of farm land, and disrupting farm operations. We believe a more co-ordinated approach to the construction of such utilities could result

in minimizing the destruction of farm land for such purposes. A planned system of corridors whereby such utilities could use a common right of way and easement could, in many instances, result in more rational land use.

- 6. We recommend an immediate freeze on urban and industrial development located on prime agricultural land and that such agricultural land be designated for agricultural use only. The preservation of farm land requires close co-operation between all levels of government. It is also imperative that local communities be involved as directly and deeply as possible. The higher levels of government should be responsible for determining the basic guidelines, and it is essential that land zoning be administered by the provincial government within the context of a National Land Policy. Federal/provincial legislation should be enacted prohibiting the use of Class 1, 2 and 3 soils for any industrial and residential development.
- 7. When land is needed for urban development, it should be purchased exclusively by a crown agency of the provincial and/or federal governments, as required to fulfil the needs of the municipality in the immediate future. Land being held for development should move into development at a price no greater than that of the last transfer before land valuation day, plus cost of services installed since the last transfer.
- 8. When land is purchased and/or expropriated for urban development, the farmer should receive full value of the land for farming purposes, plus adequate compensation for all inconveniences that may be imposed upon him/her.
- 9. Severances should not be granted to accommodate additional residences on farms. If an additional house is built, then it would become part of the total farm property.

LAND USE AND TENURE:

- 1. "The members of the generation which is in power must not treat the earth as something given by their parents, but rather as something borrowed from their children."

2. With the projected pressure of world population on food supplies, Canada should adopt a policy of preserving prime agricultural land for the purpose of food production.
3. Land zoned for agriculture should be classified according to productive capabilities.
4. Land zoned for agriculture should be sub-zoned for particular farming uses: eg., livestock, cash crop, poultry, etc.
5. Farm land particularly suited to specialized crops (eg., fruit and vegetable growing) should be dedicated exclusively to agriculture, even though it may require zero growth of development for other purposes. The federal and provincial governments in Canada should prevent the further loss of such land for such purposes as industrial uses or through flooding for hydro electric projects.
6. Historically, the accepted form of land tenure in this country has been through private ownership. While much can be said in favour of ownership as the most desirable form of land tenure, such as pride of ownership, security of tenure, retaining the tenure of the land in the family for future generations and capital gains, to name a few, there are also decided disadvantages to private ownership.
7. A trend has been developing over the years toward lease or rental arrangements as an alternate form of land tenure. Most of these are leases from private individuals, absentee owners and corporations who are landowners. Some provinces hold a limited amount of crown land which is also leased to individual farmers and ranchers.
8. Having regard for the political realities of Canadian society and the farm community in particular, and recognizing the traditional deep-rooted relation of farm people to their land, the NFU recommends a system of land tenure policy that includes a system of public and private ownership which achieves the following goals:
 - a) Preservation of the family and co-operative farm concept of agricultural production;
 - b) Elimination of foreign, non-resident, and corporate ownership of farm land;
 - c) Preservation of the rural community and broadly-based access to the productive resources of agriculture by Canadians;
 - d) Preservation of the rights of native peoples;
 - e) Elimination of speculation and the trading of all land as a commodity;
 - f) Establishment of the cost of land to the farmer according to its long-term productive ability so that the natural fertility of the soil may be preserved. The abuse of soils and ever-increasing concentration of ownership are directly related to the present high cost of land. The implementation of a land tenure policy must include measures to overcome these factors.
 - g) Land which is designated as having agricultural potential and which is presently owned by the crown be retained by the crown until such time as a policy of land use and tenure is implemented.
9. Along with an effort to establish the cost of land to the farmer at a price which reflects the productivity of the land, it must also be recognized that the price paid for land is only a part of the ever-escalating capitalization. The cost of financing land purchases must also be controlled.
10. The whole area of financing land purchases by farmers should come under the full jurisdiction of the federal and provincial governments, with a criterion to maintain the family farm and retain farming in the hands of Canadians who should live on and work the land.
11. Toward this end, provincial and federal governments should adopt and expand the Land Bank concept with an appeal procedure and no purchase option and provide the necessary funding so the

concept and principles of land without capital may be provided to those "who will till the soil."

12. Changes in public attitude towards a more beneficial system of land use and tenure will not occur solely by relying upon federal and provincial government programs. Indeed, it is not necessarily the responsibility of government to alter widely held biases.
13. The NFU recognizes that changes will occur only when people have become motivated through education and open discussion. Many Canadians are unaware of the nature of their prejudices towards land tenure and do not understand it as an issue which affects everyone and which needs to be analyzed.
14. The NFU accepts its responsibility in this regard. Therefore, we will, through an education program, communicate to Canadians at large what agriculture means to Canada and what the disposition of land means to them and future generations.
15. The NFU will continue to discuss, debate and educate itself on the whole land resource question in this country. Let it never be said we avoided our responsibilities.
16. We need to develop a sense of stewardship on the concept that we really never own land; we use it carefully while we hold it in trust for those who must use it after us.
17. Agricultural land over which farmers hold stewardship represents the source of their livelihood. Increasing investment required for food production is sometimes marred by damage to or injury to others caused by trespassing without the knowledge of farmers. Provincial governments are requested to pass legislation which will place the onus of responsibility on trespassers to seek permission to enter upon farm land thereby removing the onus from farmers to post no trespassing signs on farm land.
18. The NFU must develop a comprehensive Right to Farm policy.

LANDOWNERS' SURFACE RIGHTS POLICY:

BASIC CONSIDERATIONS:

The NFU is most concerned with the often inconsistent and unfair consideration of food processor/landowners' surface rights by alternate users.

1. Concerns with surface rights from the food producers' perspective:
 - a) Landowners are often approached by various public agencies and private companies in an inconsistent, unco-ordinated manner with respect to the taking and disruption of surface use rights.
 - b) The landowner is most often faced with a taking on an infrequent basis and thus faced with an unfamiliar and complex process of negotiation, mediation, arbitration, compensation and perhaps even expropriation. The tasks involved can be an overwhelming administrative nightmare.
 - c) Depending on the specific proposed public interest use, the complexity of different jurisdictions and legal procedures can seriously affect how the food producer manages his land and water resources.
2. Identifying alternate users:
 - a) Various levels of government or those assigned authority by government through legislation, such as subsurface resource development agencies or public utility companies who gain access to surface rights for public purposes or in the public interest.
3. Uses causing concern:
 - a) Under an overwhelming number of pieces legislation and associated regulations, surface rights can be taken through land acquisition, lease, easement or rights-of-way for a variety of uses, including: subsurface resource extraction (petroleum, coal and minerals), highways and other access, hydro transmission lines, pipelines (water, oil, gas, sewer), telephone, railways, public facilities (airports,

schools, etc.) and other uses deemed to be in public interest. These uses seriously impact upon the food production/landowners' use of the land for food production, both through the land taking and the disruption of farm operations and management practices.

- b) Illegal trespass, nuisance and vandalism also comprise significant negative "uses" in many farming communities, particularly those on the urban edge. These illegal uses are often associated with access or use provided for various public purposes within the farming community.

4. Where these uses are located:

- a) These public interest uses and the interference with food producer surface rights are more common and more complex on the urban edge, although almost all Canadian farming communities and individual producers are confronted with surface rights issues at one time or another.

5. How we approach the issues:

- a) Landowners and governments must jointly seek ways to understand each other's perspectives regarding surface rights. We must search for a more rational surface rights policy, both provincially and nationally, that will be consistent and fair to both landowners and the public interest.

POLICY PROPOSALS:

The NFU submits the following policy recommendations based on the considerations outlined above:

1. Land Use Planning:

- a) Farming community anxiety could be significantly reduced through the use of a pre-planned system of common use corridors for public utilities and subsurface resource infrastructure. This would reduce the negative impact of farmland loss and farm operation disruption.
- b) Erosion, sedimentation, and land and water pollution control, as well as

reclamation standards, must be planned for, regulated and consistently enforced.

- c) Where major surface rights disruption will occur and linear development or other is to take place, a public consultation process that directly involves the farming community must be a prerequisite.
- d) A continuing education process involving landowners, governments and other surface users is crucial to increased understanding of the sensitive complex issues involved in surface and subsurface rights.
- e) Good land and water use planning that recognizes landowner interests will help reduce future potential surface rights confrontation.

2. Procedures for taking of Surface Rights:

- a) Negotiation is a time-consuming, often frustrating process for the landowner. Public utility or other surface user negotiators need to be sensitive to food producers' seasonal time pressures. Critical times, such as during seeding, harvesting or calving, for example, are not times when the food producer can give priority to negotiation.
- b) Consistency in landowner approach is important. Those who regularly negotiate taking of surface rights in rural communities should be licensed, after recognized training program developed in consultation with food producer organizations.
- c) Mediation process must be given priority by governments as the preferred means of sorting out differences between landowners and outside users.
- d) The more legalistic arbitration process, common in Canada where mediation process fails, should be avoided if at all possible, or at least not involve costs to the landowner.
- e) Expropriation should be considered only as a last resort in protecting the public interest. In such cases as

informal pre-expropriation, inquiry should be mandatory. The five guiding principles adopted by the Law Reform Commission of Canada should form the basis of fair expropriation practice, namely:

- equality of treatment
- clarity and accessibility
- openness
- fairness, and
- political accountability

On this basis, most existing legislation warrants review.

f) It is imperative that detailed procedures be developed from the landowners' perspective for negotiation, mediation, arbitration and expropriation. These procedures must be consistent, regardless of the outside use imposed on the farmland owner.

g) The right to compensation must include consideration of:

- value of land to the specific food production unit, which may or may not relate to actual market value;
- loss and disruption of agricultural use;
- damage to land and crops (ie., remaining field configuration, weed control, changed product transportation and machinery access);
- adverse effects (eg., nuisance, inconvenience, odours, noise, mental anguish);
- time spent by landowner in negotiating surface rights issues;
- landowner costs of legal and other professional expert advice;
- initial taking compensation plus annual compensation with established review periods and a one-time only "force-take payment" where appropriate;

h) Land value should be used as an index by which to gauge the value of lost surface rights.

i) Land value determination should be based on specific outside use/agricultural commodity/production unit interrelationships (eg., Blackstock formula of Alberta puts a higher compensation value per acre on a small area taken on the larger area it was taken from).

j) Farmland trespass should be considered a surface rights issue and onus for responsibility should be on the trespasser not the food producer.

k) Most regulatory bodies associated with surface rights disposition do not actually have the authority to deny a specific surface use proposal because of subsurface resource tenure or other terms of reference. This should be changed so that surface rights and public interests are better protected by regulatory agencies.

l) The onus should not be on the landowner to prove environmental damage or loss of use as a result of alternate surface use. There should at least be shared responsibility for technical fact finding and failing agreement, a quasi-judicial tribunal should be available to which disputes might be referred for settlement.

m) The implications to surface rights of so-called "residual interest" warrant careful analysis. This most often involved partial taking of land, such as for pipelines, hydro transmission or telephone lines, where the landowner retains significant use rights, such as the right to farm an easement.

i) When a utility takes an easement to service a farm, the agreement must be for that one service only and any future additional construction cannot be undertaken without a new easement.

ii) In the case of underground service, the utility shall be responsible for a legal survey to be registered at Land Titles Office of the route of the service and providing the landowner with a map of the survey.

- n) Options for mitigation to alleviate impact should always be researched and remain in the forefront during negotiations with landowners.
- o) Government agencies responsible should develop guiding principles for management of subsurface resources and associated rights as they relate to surface rights.
- p) Problems with overlapping jurisdictions with respect to surface rights taking, partial taking, etc., warrant review and practical rationalization.
- q) No rights of entry will be granted until all negotiations have been completed.

3. Policy Implementation Methods:

In consideration of the above, the NFU views the following as a constructive implementation direction:

- a) Establish surface rights umbrella legislation within each province with co-ordination between provinces so that a national consistency results. This legislation and associated regulations should set the framework for a new approach to surface rights issues that is well planned, open, consistent, fair and accountable.
- b) As part of the regulatory process, independent Surface Rights Boards with farming community representation should be established to administer the legislation (taking into account the more specific proposed directions suggested above).
- c) Provincial governments shall be obliged to offer extension educational programs that will assist landowner producers to deal with negotiation, mediation, arbitration and expropriation procedures; also, to inform landowner food producers of their rights.

SUSTAINABLE AGRICULTURE POLICY:

Basic concepts that a Sustainable Agriculture policy must address are:

- 1. Land:
 - a) Rebuilding of soils by crop rotation, reforestation, shelterbelts, regrassing marginal land, etc.
 - b) Public ownership - land must be removed from market economy.
 - c) Irrigation should only be used to meet local domestic needs for fruits, vegetables, and forage.
 - d) Maintenance of wildlife habitat is essential.
 - e) We must eliminate the use of choice farmland for urban industrial use.
 - f) Land use must be geared to soil type.
- 2. Farm Size:
 - a) Farm size must be addressed and should be done by production units (e.g. supply management in dairy industry) geared to domestic markets.
 - b) Production quotas be established that would return a good standard of living to the producers of all commodities.
 - c) Must be geared to self-sufficiency.
- 3. Diversity:
 - a) Encourage diversification by allotting quotas that return cost of production to producer (e.g. 8,000 bus. wheat or 30 head of cattle. If you choose to produce both, you would be allotted one-half of each quota plus 5%).
 - b) Reforestation.
 - c) Waste heat to be utilized to establish greenhouses to supply local domestic markets.
- 4. Cost of Production:
 - a) Must include cost of all inputs, excluding interest on monies borrowed to purchase land. (See #1 above)
- 5. Organic Production:

- a) Public research should be directed towards non-chemical production.
- b) Crop rotations should be established to rebuild soils.
- c) Health and medical costs would be reduced.
- d) Leads to diversification.
- e) A supervised system for certification standards for organic food production should be established in consultation with other interested organizations.

6. Environment Protection:

- a) Incentives and regulations for shelterbelt planning to be established.
- b) Regrassing and reforestation programs be established.
- c) Organic production be emphasized.
- d) Emphasis to be on biological control rather than chemical control.

7. Co-op Farms and Machinery Co-ops:

- a) Programs be established towards educating farmers on the benefits of co-operative production.
- b) Young people be encouraged to go this route by allowing them access to public lands.
- c) Public machinery co-ops rentals be established.
- d) Department of Co-operation be set up by provincial/federal governments to oversee this.

8. Community:

- a) With the above proposals implemented, the smaller farms, diversity, etc., would help bring forth a more vibrant, populated rural community.
- b) Rural daycare be established for those desiring this service.

- c) With more people making their living from the farm, unemployment would drop in urban areas.

9. Policy Proposals:

We must provide producers with a policy that will make farming economical, provide the lands caretakers with the means and incentives to conserve one of nature's most important resources. The policy must develop an integrated system of income stabilization so farmers can plan confidently for sustainable long-term production and conservation practices. Ideally this would cost no more than the existing patchwork system of subsidies and crisis relief ad hoc programs of today.

- a) 'Land Bank' tenure system of land transfer.
- b) An integrated system of income stabilization.
- c) Supply management and orderly marketing policies based on domestic consumption be extended to cover all commodities.
- d) Incentives for ecologically-safe methods of food production.
- e) The development of a NFU-administered certification program for organic plants.

CONCEPTS FOR A SOIL
CONSERVATION POLICY:

Soil is an important resource for the production of food. Soil is a living medium from which plants obtain their nutrients. It is of utmost importance that the soil be well cared for.

In all regions of Canada, soil degradation has developed into a major national concern. The causes of soil degradation are varied. The effects of wind erosion on the prairies where large areas of land are left unprotected, to effects of water erosion in Ontario and the Maritimes are just two examples of soil degradation problems.

The NFU recognizes that farming methods must be encouraged to stop the damaging

effects of soil degradation that is reducing our capacity to produce food.

The NFU believes that co-operation between all levels of government and farmers is required to develop programs to reduce soil degradation.

The NFU specifically recommends that a Canadian Soil Conservation Authority be established under the authority of the Minister of Environment Canada.

1. Is funded by the Canadian and provincial governments;
2. Would develop soil conservation programs that are specific to the respective causes of soil degradation;
3. Would encourage farmers through education to participate in soil degradation control methods;
4. Would provide adequate funds to farmers to practice soil conservation;
5. That all existing federal and provincial soil conservation programs be co-ordinated under the C.S.C.A.;
6. That the program be extended to our education system beginning at the primary level;
7. That governments correct erosion caused by public waters at their expense;
8. That submarginal farmland be taken out of grain production under a federal soil conservation program and that farmers be adequately funded to retain such land under the conservation program.

